

GOVERNMENT OF ANDHRA PRADESH

**ABSTRACT**

SUITS- LA, SRBC, Nandyal Unit- Kurnool District-Sunkeshula Village-Owk Mandal- Market Value enhanced from Rs.80,000/- per acre(Cat-I) and Rs. 50,000/-- per acre (Cat-II) to Rs. 1,48,000/- per acre by the Hon'ble High Court of A.P., Hyderabad-Final decretal charges-Sanction orders-Issued.

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IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 20

Dated:6-1-2010

Read:

From the Special Chief Secretary & Chief Commissioner of Land  
Administration, A.P. Hyderabad CCLA Lr.No. SRP4/915/09, Dated:  
07.11.2009

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**O R D E R:**

In the reference read above, the C.C.L.A. A.P. Hyderabad has reported that the Special Collector, SSP, Kurnool has acquired Land in Sy.No. 369/1c for an extent of Ac.32.10 in in award No.29/92-93, dated: 30.3.1993 in Sunkesula village, Owk Mandal of Kurnool District for the purpose of excavation of SRBC canal from 1133.400 to 134.400. Aggrieved by the market value fixed by the LAO, the awardees have filed petitions u/s. 18(1) of references of L.A. act to the Lower court for adjudication. On making references u/s. 18 of L.A. Act to the Lower Court, the Principle Senior Civil Judge, Nandyal had delivered judgments enhancing the market value from Rs. 80,000/- Rs.50,000/- p.a. to Rs. 1,49,000/- p.a. (both Categories) in OP. No. 39/95 & batch (5 cases). The Special Collector has further stated that the High Court of A.P. Hyderabad granted interim stay orders on condition to pay 50% of decretal amount. Accordingly, the Special Collector, SSP, Kurnool has sanctioned an amount of Rs. 5,02,501/- in OP.No.39 and 40/95 and Rs. 23,51,325/- in O.P.No. 41/95 towards 50% of the decretal amount and the same has been deposited in the Principle Senior Civil Judge, Nandyal on 28.3.2006 and 31.3.2006 respective. Mean while the Hon'ble High Court has disposed off the appeals on 02.04.2007 in terms of judgment of A.S.No. 1748/05 & batch, Dt: 26.03.2007 and reduced the compensation from Rs. 1,49,000/- to Rs. 1,48,000/- p.a.

2. The Special Collector has requested for sanction decretal amount of **Rs. 37,67,528/- ( Rupees Thirty seven Lakhs Sixty seven thousands five hundred twenty eight only)** towards decretal charges in respect of **O.P. Nos. 39, 40 & 41/95** pertaining to Sunkesula Village, Owk Mandal, Kurnool District for depositing in the Lower Court. The same has been recommended by the CCLA, A.P. Hyderabad.

3. After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 37,67,528/- ( Rupees Thirty seven Lakhs Sixty seven thousands five hundred twenty eight only) towards decretal charges in respect of O.P. Nos. 39, 40 & 41/95 pertaining to Sunkesula Village, Owk Mandal, Kurnool District for depositing in the Lower Court. Subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad immediate action should be taken to  
(P.T.O.)

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recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the District Collector, Ananthapur should verify the calculations made by the RDO (LAO), once again thoroughly with references to the decree and instructions issued by the Govt /CCLA, Hyderabad. On the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in the Lower Court

4. The Special Collector, SSP, Kurnool is directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated: 30.4.2007 in W.P. No. 2181/2005 on depositing the above sanctioned decretal amount in the respective court.

5. The amount sanctioned in para (3 ) above shall be debitable to the Head of Account under : "2701 –COL on Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 –SRBC; G.H. 11- Normal State Plan; S.H. (27) Canals and Distributaries'; 530 Major Works; 532 – Lands (charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

6. This order issues with the concurrence of Finance (W&P) Department vide their U.O. No. 4923/F4 (1)/09-1, dated: 24.12.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA,  
SECRETARY TO GOVERNMENT

To  
The Secretary to the C.C.L.A. A.P.Hyderabad  
The District Collector, Kurnool  
The Chief Engineer, Irrigation, Hyderabad  
The Special Collector, Srisailem Project, Kurnool  
The Special Deputy Collector,(LA),SRBC, Nandyal  
The Revenue Divisional Officer, Nandyal  
The Superintending Engineer, I & CAD, Kurnool  
The Director or Works and Accounts, Hyderabad  
Copy to  
P.S.to Minister ( M & MI)  
Law Department/Finance(W&P) Dept  
C.No. 29387/L.A.II/A1/2009  
S.F./S.C.

//FORWARDED BY ORDER//

SECTION OFFICER.